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10/522,208	10/27/2005	Mezher Hussein Ali	AC-21-US	3691
50446	7590	08/14/2009	EXAMINER	
HOXIE & ASSOCIATES LLC			CHANG, CELIA C	
75 MAIN STREET , SUITE 301				
MILLBURN, NJ 07041			ART UNIT	PAPER NUMBER
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			08/14/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

ATTACHMENT TO ADVISORY

The after final amendment dated Aug. 3, 2009 will not be entered for the following reasons:

1. There is no good reason why the amendment and the supporting IDS could not be filed earlier.
2. The amendment does not obviate the 112 first paragraph rejection because no antecedent basis of what is the “C₁₋₄alkyl ester” is located and how many of such modification can exist in the molecule. Please note that the optionally substituents contain free hydroxyl and free amino which are candidates for acylation. In addition is the “C₁₋₄alkyl ester” referring to compound-O-CO-C₁₋₄alkyl or compound-O-(CO)O- C₁₋₄alkyl? Please note that both are known to be pro-drug modification in form of esters.
3. Upon clarification of where, how many and what form is the “C₁₋₄alkyl ester” in structure, it may be new matter and new search must be made with respect to the specific ester. See i.e. CA114:102632 disclosed “C₁₋₄alkyl ester” of the instant amended claims. Thus, new search and new issues must be raised.

/CeliaChang/

Primary Examiner, AU1625